



Dan Skopec
Acting Secretary

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

Certified Mail: 7003 1680 0000 6174 7787

April 14, 2006

Mr. Joel Martens, CUPA Program Manager
Tulare County Environmental Health
5957 South Mooney Boulevard
Visalia, California 93277

Dear Mr. Martens:

The California Environmental Protection Agency (Cal/EPA) and Office of Emergency Services conducted a program evaluation of Tulare County Environmental Health's Certified Unified Program Agency (CUPA) on October 18, 2005. The evaluation consisted of a review of program elements and an in-office program review. Following the evaluation, the state evaluators completed an Evaluation Summary of Findings, which was reviewed with your agency's program management.

The evaluation summary of findings includes identified deficiencies, corrective action to be taken and timeframes for correction of identified deficiencies. Two additional evaluation documents completed during the evaluation are the Program Observations and Recommendations and the Examples of Outstanding Program Implementation.

I have reviewed the enclosed copy of the Evaluation Summary of Findings and I find that Tulare County Environmental Health CUPA program performance is satisfactory with some improvement needed. To update our files on your progress toward correcting the identified deficiencies, please provide a status report, using the attached format, within 30 days from receipt of this letter.

Cal/EPA also noted during this evaluation that Tulare County Environmental Health has worked to bring about a number of local program innovations, including the administration of the Local Oversight Program (LOP), Used Oil Collection and Household Hazardous Waste Programs for Tulare County. During fiscal year 2004/05, a total of 2.3 pounds of household hazardous waste, used motor oil and electronic waste was collected per capita. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program web site to help foster a sharing of such ideas statewide.

Mr. Joel Martens
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Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at jbohon@calepa.ca.gov.

Sincerely,



Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosures

cc: Mr. Brian Abeel (Sent Via Email)
Governor's Office of Emergency Services
P.O. Box 419047
Rancho Cordova, California 95741-9047

Ms. Liz Haven (Sent Via Email)
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Mr. Charles McLaughlin (Sent Via Email)
Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812-0806

Ms. Vickie Sakamoto (Sent Via Email)
Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460

Mr. Moustafa Abou-Taleb (Sent Via Email)
Governor's Office of Emergency Services
P.O. Box 419047
Rancho Cordova, California 95741-9047

Deficiencies and Corrective Actions

1. Deficiency: Brief description of deficiency

CUPA Corrective Action: CUPA responds here

2. Deficiency: Brief description of deficiency

CUPA Corrective Action: CUPA responds here



STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY



Alan C. Lloyd, Ph.D.
Agency Secretary

**CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION
SUMMARY OF FINDINGS**

Arnold
Schwarzenegger
Governor

CUPA: Tulare County Environmental Health

Evaluation Date: October 18, 2005

EVALUATION TEAM

Cal/EPA: Dennis Karidis
OES: Chuck Snyder

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management.

Questions or comments can be directed to Dennis Karidis at 916-327-9558.

	<u>Deficiencies</u>	<u>Preliminary Corrective Action</u>	<u>Timeframe</u>
1	<p>The CUPA has not inspected all businesses subject to the HMRRP, HW, and CalARP programs every three years. For example, the annual summary reports state:</p> <p><u>HMRRP</u></p> <ul style="list-style-type: none">• 94 of 805 inspections were completed in 2002-2003.• 257 of 845 inspections were completed in 2003-2004.• 229 of 915 inspections were completed in 2004-2005.	<p>The CUPA will increase inspections to meet the frequencies stated in their Inspection and Enforcement Plan.</p>	1 year

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	<p><u>HW</u></p> <ul style="list-style-type: none"> • 53 of 425 inspections were completed in 2002-2003. • 121 of 449 inspections were completed in 2003-2004. • 131 of 492 inspections were completed in 2004-2005. <p><u>CalARP</u></p> <ul style="list-style-type: none"> • 16 of 94 inspections/compliance audits were completed in 2002-2003. • 0 of 90 inspections/compliance audits were completed in 2003-2004. • 3 of 91 inspections/compliance audits were completed in 2004-2005. <p><i>(13 inspections/compliance audits have already been completed in the first quarter of 2005.)</i></p>		
2	<p>The CUPA is not consistently ensuring that businesses found to have minor violations return to compliance within 30 days from the date of the notice to comply. Based on a review of the CUPA's files, some businesses found to have minor violations did not submit documentation demonstrating the violations have been corrected. In addition, the CUPA is not consistently ensuring that businesses found to have minor violations sign a notice to comply certifying that the violation(s) have been corrected, and return it to the CUPA.</p>	<p>The CUPA will begin requiring businesses to certify correction of all minor violations and submit documentation demonstrating correction.</p>	<p>Immediately</p>

CUPA Representative

Joel Martens
(Print Name)

Joel Martens
(Signature)

Evaluation Team Leader

Dennis Karidis
(Print Name)

Dennis Karidis
(Signature)

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PROGRAM OBSERVATIONS AND RECOMMENDATIONS

1. **Observation:** Several violations identified in the inspection reports lacked sufficient detail necessary to establish the elements of a violation.

Recommendation: Utilize the Inspection Report Writing Guidance document that was developed jointly by the CUPA Forum Board and Cal/EPA. Copies can be found on the Cal/EPA Unified Program website.

2. **Observation:** The CUPA conducts announced inspections for all of its regulated businesses.

Recommendation: Conduct unannounced inspections for both Hazardous Waste Generators and Business Plan facilities.

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EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. Though not a part of the Unified Program, CUPA staff also administers the Local Oversight Program (LOP), Used Oil Collection and Household Hazardous Waste Programs for Tulare County. During fiscal year 2004/05, a total of 2.3 pounds of household hazardous waste, used motor oil and electronic waste was collected per capita. The following services were provided at no charge to participants:
 - Household Hazardous Waste (HHW) - The Permanent Household Hazardous Waste Collection Facility (PHHWCF) is open to the public from 10:00 a.m. to 3:00 p.m. each Saturday. During fiscal year 2004/05, a total of 180,934 pounds of HHW was collected directly at the PHHWCF from 2,931 persons. Twelve one-day mobile collection events located in various locations throughout the county served another 577 persons and collected a total of 55,519 pounds of hazardous waste. The per capita amount of HHW collected was 0.5 pounds.
 - Used Motor Oil (UMO) - Forty-four UMO collection centers are operated at businesses throughout Tulare County. Over 221 tons of UMO was collected from an estimated 68,000 residents. The per capita amount of UMO collected was 1.2 pounds.
 - Electronic Waste (E-waste) - Through December 2004, the County of Tulare reimbursed Recycle America Alliance LLC for costs of recycling cathode ray tubes dropped off by residents. One annual mobile collection event was also conducted. Over 3,700 computer monitors and televisions totaling nearly 96 tons were collected. The per capita amount of e-waste collected was 0.6 pounds. As of January 2005, Recycle America Alliance LLC is an approved collector of Covered Electronic Devices and will be paid directly by the recycler.
2. The CUPA has compiled very comprehensive annual self audits that should be used as model documents for other CUPAs.
3. The CUPA has a very comprehensive and well thought out Inspection and Enforcement Plan.
4. The CUPA will implement the AEO process in Fall 2005 upon approval or consent of the proposed procedures by the Tulare County Board of Supervisors.
5. The CUPA attends the following meetings: Biweekly staff meetings, Regional CUPA Forum meetings, Local Emergency Planning Committee meetings, Central Valley Environmental Crimes Task Force, and the CUPA Conference.
6. HMRRP information is presently managed in CAMEO and is provided electronically to fire agencies.

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7. The CUPA has many of its forms accessible/downloadable on the Tulare County Health & Human Services Agency website.